

AMENDED IN SENATE AUGUST 16, 2006

AMENDED IN SENATE AUGUST 15, 2006

AMENDED IN SENATE JUNE 20, 2006

AMENDED IN SENATE JUNE 7, 2006

AMENDED IN ASSEMBLY APRIL 5, 2006

AMENDED IN ASSEMBLY MARCH 29, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2441

Introduced by Assembly Member Klehs

February 23, 2006

An act to add Section 5442.15 to the Business and Professions Code, relating to outdoor advertising, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2441, as amended, Klehs. Outdoor advertising.

The Outdoor Advertising Act regulates placement of advertising signs adjacent to and within specified distances of highways that are part of the national system of interstate and defense highways and federal-aid highways. The act prohibits advertising displays from being placed or maintained on property adjacent to a section of a freeway that has been landscaped, with certain exceptions. A violation of the act is a misdemeanor.

This bill would authorize an advertising display in the redevelopment zone of the City of San Leandro subject to specified conditions.

This bill would set forth facts and declare that the provisions specified above constitute necessary special legislation.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5442.15 is added to the Business and
2 Professions Code, to read:

3 5442.15. Notwithstanding any other provision of this chapter,
4 Section 5440 shall not prohibit an advertising display within the
5 redevelopment zone of the City of San Leandro if all of the
6 following conditions are met:

7 (a) Placement or maintenance of the advertising display does
8 not require the immediate trimming, pruning, topping, or removal
9 of trees located on a state highway right-of-way to provide
10 visibility to the advertising display, unless done as part of the
11 normal landscaping maintenance activities that would have been
12 undertaken without regard to the placement of the display.

13 (b) The advertising display shall not advertise products that
14 are directed at an adult population, including, but not limited to,
15 alcohol, tobacco, gambling, or sexually explicit material.

16 (c) At least 50 percent of the advertising on the display shall
17 be for businesses located in the redevelopment zone.

18 (d) A 10 percent fee based on the revenue collected for
19 advertising on the display that is related to businesses located
20 outside the redevelopment zone shall be paid to the City of San
21 Leandro.

22 (e) The advertising display shall not cause a reduction in
23 federal aid highway funds, as provided in Section 131 of Title 23
24 of the United States Code.

25 SEC. 2. The Legislature finds and declares that a special law,
26 as set forth in Section 5442.15 of the Business and Professions
27 Code, as added by Section 1 of this act, is necessary and that a
28 general law cannot be made applicable within the meaning of
29 Section 16 of Article IV of the California Constitution because of
30 the unique circumstances that exist in the redevelopment zone in

1 the City of San Leandro. The facts constituting the special
2 circumstances are as follows:

3 The physical location of property in the redevelopment zone of
4 the City of San Leandro would benefit the City of San Leandro in
5 its efforts to revitalize the affected area if the property may be
6 used in the manner allowed by Section 1 of this act, with minimal
7 disruption of the purposes served by Section 5440 of the
8 Business and Professions Code.

9 *SEC. 3. This act is an urgency statute necessary for the*
10 *immediate preservation of the public peace, health, or safety*
11 *within the meaning of Article IV of the Constitution and shall go*
12 *into immediate effect. The facts constituting the necessity are:*

13 *In order to assist the City of San Leandro in revitalizing its*
14 *redevelopment zone as quickly as possible, it is necessary that*
15 *this bill take effect immediately.*